

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

CHIEF HEARING OFFICER DIRECTIVE

DOCKET NO. 2021-349-E ORDER NO. 2021-152-H

DECEMBER 13, 2021

CHIEF HEARING OFFICER: David Butler

DOCKET DESCRIPTION:

Joint Petition of Duke Energy Carolinas, LLC and Duke Energy Progress, LLC to Request the Commission to Hold a Joint Hearing with the North Carolina Utilities Commission to Develop Carbon Plan

MATTER UNDER CONSIDERATION:

Petition to Intervene of North Carolina Sustainable Energy Association (“NCSEA”)

CHIEF HEARING OFFICER’S ACTION:

This matter comes before the Chief Hearing Officer on the Petition to Intervene of NCSEA in this Docket. The Petition is timely filed, and no objections to the intervention have been filed.

NCSEA is a non-profit corporation formed under the laws of North Carolina, with individual, business, and government members located and doing business in both North Carolina and South Carolina. NCSEA’s stated mission is to promote a sustainable future through the use of renewable energy and energy efficiency programs. NCSEA asserts that it seeks to achieve its objectives by advocating for public policies that encourage the responsible technological and market development of renewable energy and energy efficiency, including all aspects of demand side management, a smart grid, energy storage, and vehicle electrification. NCSEA members include businesses that develop renewable energy generation projects in South Carolina, whose business will be directly impacted, according to NCSEA, by the Commission’s decision in this proceeding. NCSEA states that it has a substantial interest in the subject matter of this proceeding. NCSEA notes that it was an active participant in the development of North Carolina Session Law 2021-165, which is the basis for the petition in this proceeding, and that no other party will adequately represent NCSEA’s interest in this case.

After it has been determined that the Petition has been timely filed, the next question for the Commission is to determine whether or not the petitioning party or parties have clear factual support or grounds for the proposed intervention. S.C. Regs. 103-825A(3) requires that parties filing a Petition to Intervene in a matter pending before the SC Public Service Commission must set forth clearly and concisely:

(a) The facts from which the nature of the petitioner's alleged right or interest can be determined;

- (b) The grounds of the proposed intervention;**
- (c) The position of the petitioner in the proceeding.**

From these facts, this Hearing Officer holds that NCSEA has successfully satisfied the three criteria for intervention stated in the Regulation. The Petitioner's interest in these matters can clearly be discerned, as can the grounds for the intervention, and its position in the Docket.

Further, the Petition to Intervene was timely filed and there are no objections to the intervention. Accordingly, the Petition to Intervene of NCSEA is hereby granted in this Docket. This ends the Chief Hearing Officer's Directive.